



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/527,668 | 03/11/2005 | Satoshi Kawaguchi | 37938 | 7249 |
| 116 7590 04/07/2008 PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108 | | | | |
| EXAMINER | | | | |
| OSILE, MARK A | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 1791 | | | | |
| MAIL DATE | | DELIVERY MODE | | |
| 04/07/2008 | | PAPER | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/527,668

Applicant(s)

KAWAGUCHI ET AL.

Examiner

Mark A. Osele

Art Unit

1791

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 8, 9, 13, and 15(8) is/are allowed.
- 6) ☒ Claim(s) 7, 10-12, 14, and 15(7, 10, 11) is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/808)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 7 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Japanese Patent Publication 02-274431 (Kurihara et al.). Kurihara et al. shows a parts supplying system wherein the reel member for the top tape comprises a winding drum, 7, detachably attached to a driving shaft, and a guide flange, 108, formed on one end face of the winding drum and having an opening (See Fig. 12) through which a side surface of the top tape, 103, wound on the winding drum can be pushed directly with a finger.

Regarding claim 11, the limitation that the winding drum and the guide flange are bent in removing from the driving shaft are method of use limitations not given patentable weight in an apparatus claim.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 12(7, 11) and 15 (7, 11) are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Publication 02-274431 (Kurihara et al.) in view of Japanese Patent Publication 11-046091 (Kubota). As shown in paragraph 4 above, Kurihara et al. shows the instantly claimed invention except for the tapered winding surface. Kubota shows a parts supplying system wherein the winding drum has a tapered winding surface whose diameter increases in a direction that goes away from the guide flange (See Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the tapered winding surface of Kubota in the apparatus of Kurihara et al. because Kubota shows this orientation to improve the stability of supplying electronic components (English Abstract).

Regarding claims 15 (7, 11), Kubota further shows the inner side surface of the guide flange is formed as an inclined surface that reduces the thickness of the guide flange outwardly in the radial direction (See Fig. 2).

5. Claims 10 and 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Publication 02-274431 (Kurihara et al.) in view of Ando et al. (U.S. 5,598,986). As shown in paragraph 4 above, Kurihara et al. shows the instantly claimed invention except for the recess portion in the winding drum. Ando et al. shows a parts supplying system wherein the top tape winding drum includes recesses, 6k. It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the recesses of Ando et al. into the apparatus of Kurihara et al. because Ando et

al. shows these recesses can be used to attach the winding drum to the driving means (See Fig. 5b).

Regarding claim 14, locating the opening portion and the recess portion on the same radial line would have been obvious to one of ordinary skill in the art as being a mechanical design choice.

6. Claims 12 (10) and 15(10) are rejected under 35 U.S.C. 103(a) as being unpatentable over Japanese Patent Publication 02-274431 (Kurihara et al.) in view of Ando et al. (U.S. 5,598,986) as applied to claim 10 above, and further in view of Japanese Patent Publication 11-046091 (Kubota). Kubota shows a parts supplying system wherein the winding drum has a tapered winding surface whose diameter increases in a direction that goes away from the guide flange (See Fig. 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the tapered winding surface of Kubota in the apparatus of the references as combined above because Kubota shows this orientation to improve the stability of supplying electronic components (English Abstract).

Regarding claims 15 (7, 11), Kubota further shows the inner side surface of the guide flange is formed as an inclined surface that reduces the thickness of the guide flange outwardly in the radial direction (See Fig. 2).

Allowable Subject Matter

7. Claims 8, 9, 13, and 15(8) are allowed.

Response to Arguments

8. Applicant's arguments filed January 4, 2008 have been fully considered but they are not persuasive. Although Kurihara fails to disclose a finger pressing through the openings, the openings appear to be large enough for a finger to be inserted through them.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark A. Osele whose telephone number is 571-272-1235. The examiner can normally be reached on M-F 10:00-6:30.

Art Unit: 1791

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Philip Tucker can be reached on 571-272-1095. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Mark A Osele/
Primary Examiner, Art Unit 1791
March 31, 2008